

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Richmond Division

UNITED STATES OF AMERICA,)	
)	
v.)	Criminal Number:
)	3:12CR131-01
)	Hon. Robert E. Payne
JOSE ARMANDO BRAN,)	
)	
Defendant.)	
_____)	

**JOSE ARMANDO BRAN'S SUPPLEMENT TO HIS POSITION ON
TENTATIVE EXCUSES FOR CAUSE/QUESTIONS**

COMES NOW the defendant, Jose Armando Bran, by counsel, and supplements his previously filed Position on the Court's Tentative Excuses for Cause/Questions issued by the Court on April 29, 2013.

Mr. Bran submits the following list of jurors who should be excused for cause based on their answers to the juror questionnaire:

- | | |
|------------|---|
| Juror 0014 | This juror should be excused for cause as the juror indicated that she cannot render a fair and impartial verdict due to her connections with law enforcement in response to questions 6-7. This juror also feels strongly about the issue of firearms that make the juror believe that she cannot render a fair and impartial verdict. Question 37. Finally, this juror answered questions 40 (a) to (d) in a way which indicates that she does not believe in the basic tenets of the criminal justice system and cannot render a fair and impartial verdict. |
| Juror 0026 | This juror should be excused for cause as this juror answered questions 40 (a) to (d) in a way which indicates that she does not believe in the basic tenets of the criminal justice system. |
| Juror 0041 | This juror should be excused for cause as this juror answered questions 40 (a) and (b) indicating that she has an inability to follow 2 of the basic |

tenets of the criminal justice system and therefore cannot render a fair and impartial verdict.

Juror 0043 This juror should be excused for cause as this juror answered questions 35-37 in a way which indicates that she feels strongly about the issue of firearms or gangs that make the juror believe that she cannot render a fair and impartial verdict.

Juror 0051 This juror should be excused for cause as this juror answered questions 35-37 in a way which indicates that he feels strongly about the issue of firearms or gangs that make the juror believe that he cannot render a fair and impartial verdict.

Juror 0065 This juror should be excused for cause as this juror answered questions 40 (a) to (d) in a way which indicates that he does not believe in the basic tenets of the criminal justice system and therefore cannot render a fair and impartial verdict.

Juror 0071 This juror should be excused for cause as this juror answered question 37 in a way which indicates that she feels strongly about the issue of firearms or gangs that make the juror believe that she cannot render a fair and impartial verdict.

Juror 0093 This juror should be excused for cause as this juror's son and daughter in law work at the Northern Neck Regional Jail which is where Mr. Bran is incarcerated. It is entirely possible that this juror has learned about Mr. Bran through the family dynamics and these family members may provide irrelevant and prejudicial information about Mr. Bran to the rest of the jury which could influence the verdict in an improper way. Further, it is possible that once the jurors son and daughter in law learn that she on this jury, there will be improper sharing of information. Also, this juror answered question 37 in a way which indicates that she feels strongly about the issue of firearms or gangs that make the juror believe that she cannot render a fair and impartial verdict.

Juror 0101 This juror should be excused for cause as this juror answered questions 40 (a) to (d) in a way which indicates that she does not believe in the basic tenets of the criminal justice system and therefore cannot render a fair and impartial verdict.

Juror 0107 This juror should be excused for cause as this juror answered question 37 in a way which indicates that he feels strongly about the issue of firearms or gangs that make the juror believe that he cannot render a fair and impartial verdict.

- Juror 0133 This juror should be excused for cause as the juror indicated that he cannot render a fair and impartial verdict due to his connections with law enforcement in response to questions 5-8. Further, this juror answered question 37 in a way which indicates that he feels strongly about the issue of firearms or gangs that make the juror believe that he cannot render a fair and impartial verdict.
- Juror 0144 This juror should be excused for cause as this juror answered questions 40 (a) to (d) in a way which indicates that she does not believe in the basic tenets of the criminal justice system and therefore cannot render a fair and impartial verdict.
- Juror 0149 This juror should be excused for cause as this juror answered questions 40 (a) to (d) in a way which indicates that he does not believe in the basic tenets of the criminal justice system and cannot render a fair and impartial verdict. Further, this juror answered question 37 in a way which indicates that he feels strongly about the issue of firearms or gangs that make the juror believe that he cannot render a fair and impartial verdict.
- Juror 0150 This juror should be excused for cause as this juror answered questions 40 (a) to (d) in a way which indicates that she does not believe in the basic tenets of the criminal justice system and therefore cannot render a fair and impartial verdict.
- Juror 0164 This juror should be excused for cause as this juror answered questions 40 (a) to (d) in a way which indicates that she does not believe in the basic tenets of the criminal justice system and therefore cannot render a fair and impartial verdict. Further, this juror believes that the defendants race makes a difference on whether she can render a fair and impartial verdict.
- Juror 0166 This juror should be excused for cause as the juror indicated that she cannot render a fair and impartial verdict due to her connections with law enforcement in response to questions 5-8.
- Juror 0169 This juror should be excused for cause as this juror answered questions 40 (a) to (d) in a way which indicates that he does not believe in the basic tenets of the criminal justice system and therefore cannot render a fair and impartial verdict.
- Juror 0172 This juror should be excused for cause as this juror answered questions 40 (a) to (d) in a way which indicates that she does not believe in the basic tenets of the criminal justice system and therefore cannot render a fair and impartial verdict.

- Juror 0176 This juror should be excused for cause as the juror indicated that he cannot render a fair and impartial verdict due to his extensive connections with law enforcement. Question 8. In addition, this juror has had extensive eye surgeries and wears hearing aids that only allow him to hear from a few feet away. Question 18. Also this juror feels strongly about the issue of firearms or gangs that make the juror believe that he cannot render a fair and impartial verdict. Question 37.
- Juror 0178 This juror should be excused as he answered that he has an inability to follow two of the basic tenets of the criminal justice system and therefore cannot render a fair and impartial verdict. Question 40 (a) and (b).
- Juror 0195 This juror should be excused for cause as he answered that he harbors such strong feelings about gangs or firearms that he cannot render a fair and impartial verdict. Question 37
- Juror 0201 This juror should be excused for cause as she answered that she harbors such strong feelings about gangs or firearms that she cannot render a fair and impartial verdict. Question 37. This juror also answered that she does not believe that the defendant does not have to testify or produce any evidence and therefore it is evident that she cannot render a fair and impartial verdict. Question 40(d).
- Juror 0203 This juror should be excused for cause as this juror answered question 40 (d) in a way which indicates that she does not believe in that basic tenet of the criminal justice system and therefore she cannot render a fair and impartial verdict. Further, she answered that she harbors such strong feelings about gangs or firearms that she cannot render a fair and impartial verdict. Question 37.
- Juror 0221 This juror should be excused for cause as the juror indicated that he cannot render a fair and impartial verdict due to his extensive connections with law enforcement. Questions 7-8. In addition, this juror believes that he has medical issues and medicine which would prevent him from serving on the jury. Question 19. Finally, this juror answered questions 40 (a) to (d) in a way which indicates that he does not believe in that basic tenet of the criminal justice system. Further, he answered that he harbors such strong feelings about gangs or firearms that he cannot render a fair and impartial verdict. Question 37.
- Juror 0224 This juror should be excused for cause as this juror answered questions 40 (a), (c) and (d) in a way which indicates that she does not believe in that basic tenet of the criminal justice system and therefore she cannot render a fair and impartial verdict. This juror did not answer 40(b).

- Juror 0226 This juror should be excused for cause as he answered Question 8 which indicates that his connection with law enforcement will interfere with his ability render a fair and impartial verdict. This juror takes several medications which make him believe that these medicines might interfere with his ability to serve on the jury. Questions 19 and 20. This juror also answered that he harbors such strong feelings about gangs or firearms that he cannot render a fair and impartial verdict. Question 37. Finally, this juror answered questions 40 (a) to (d) in a way which indicates that he does not believe in the basic tenets of the criminal justice system and therefore cannot render a fair and impartial verdict.
- Juror 0230 This juror should be excused for cause as she answered that he harbors such strong feelings about gangs or firearms that she cannot render a fair and impartial verdict. Question 37.
- Juror 0237 This juror should be excused for cause as she answered that he harbors such strong feelings about gangs or firearms that she cannot render a fair and impartial verdict. Question 37.
- Juror 0245 This juror should be excused for cause as he answered that he harbors such strong feelings about gangs or firearms that he cannot render a fair and impartial verdict. Question 37. This juror also answered questions 40 (c) and (d) in a way which indicates that he does not believe in these basic tenets of the criminal justice system and therefore cannot render a fair and impartial verdict.
- Juror 0251 This juror should be excused for cause because this juror answered questions 40 (a) to (d) in a way which indicates that he does not believe in the basic tenets of the criminal justice system.

CONCLUSION

Therefore Jose Armando Bran respectfully requests that the above list of jurors be excused for cause based on their answers to the juror questionnaire.

Respectfully Submitted,
JOSE ARMANDO BRAN

By: /s/
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CERTIFICATE OF SERVICE

I hereby certify that on the 5th of May, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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